THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23128 of 2007

Between:

S.Madhava.

.. PETITIONER

and

The District Collector and others.

.. RESPONDENTS

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WRIT PETITION No.23128 of 2007

ORDER:

It is the case of the petitioner that he was grant D-Form Patta in respect of the land admeasuring Ac.4-82 cents in Sy.No.245-1 situated at Kirikera Village, Hindupur Mandal, Anantapur District, through proceedings in DAR.Dis.No.9/1402, dated 19-03-1993 by the then Mandal Revenue Officer, Hindupur Mandal, Anantapur District. After taking possession, the petitioner brought the said land under cultivation and he has been continuously cultivating the said land without violation of any terms and conditions of D.K.T. patta and the said land has not been alienated in favour of anybody. It is further stated pattadar pass book and title deeds have also been issued in favour of the petitioner vide patta No.539181 by the then Mandal Revenue Officer, Hindupur. While so, the respondents are taking steps to dispossess the petitioner for the land in question for the purpose of distributing the same for house sites under "Indiramma Phase II Programme".

If the said land is required for public purpose, I am of the opinion that the respondents have to acquire the said land by following due process of law. But, without following due process of law, the petitioner cannot be dispossessed or interfered from the land in question.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents not to interfere or dispossess the petitioner from the land in question without following due process of law. There shall be no order as to costs.

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05-11-2007

Prv